

SO ORDERED.



1 **TIFFANY & BOSCO**
2 P.A.

3 Dated: February 22, 2010

4 **2525 EAST CAMELBACK ROAD**
5 **SUITE 300**
6 **PHOENIX, ARIZONA 85016**
7 **TELEPHONE: (602) 255-6000**
8 **FACSIMILE: (602) 255-0192**


9

10 **REDFIELD T. BAUM, SR**
11 **U.S. Bankruptcy Judge**

12 Mark S. Bosco
13 State Bar No. 010167
14 Leonard J. McDonald
15 State Bar No. 014228
16 Attorneys for Movant

17 10-01630

18 **IN THE UNITED STATES BANKRUPTCY COURT**
19 **FOR THE DISTRICT OF ARIZONA**

20 **IN RE:**

21 **No. 2:10-BK-00830-RTB**

22 **David Bruce Garrison and Suzette Ann Garrison**
23 **Debtors.**

24 **Chapter 7**

25 **ORDER**

26 **Wells Fargo Bank, N.A.**

27 **(Related to Docket #15)**

28 **Movant,**

29 **vs.**

30 **David Bruce Garrison and Suzette Ann Garrison,**
31 **Debtors, S. William Manera, Trustee.**

32 **Respondents.**

33 Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed
34 Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any,
35 and no objection having been received, and good cause appearing therefore,

36 **IT IS HEREBY ORDERED** that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real
2 property which is the subject of a Deed of Trust dated June 1, 2003 and recorded in the office of the
3 Maricopa County Recorder wherein Wells Fargo Bank, N.A. is the current beneficiary and David Bruce
4 Garrison and Suzette Ann Garrison have an interest in, further described as:

5 Lot Ninety-Four (94), CARRIAGE TRAILS UNIT II, according to the Plat of record in the office
6 of the County Recorder of Maricopa County, in Book 401 of Maps Page 17.

7 EXCEPT all oil, gas, other hydrocarbon substances, helium, or other substances of a gaseous
8 nature, coal, metals, minerals, fossils, fertilizer of every name and description, together with all
9 uranium, thorium, or any other material which is or may be determined by the laws of the United
10 States, or of this state, or decisions or court, to be peculiarly essential to the production of
11 fissionable materials, whether or not of commercial value and the exclusive right thereto, on, in or
12 under the above described lands, shall be and remain and are hereby reserved in and retained by
13 the State of Arizona.

14
15 IT IS FURTHER ORDERED that Movant may contact the Debtors by telephone or written
16 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
17 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
18 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against
19 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

20
21 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter
22 to which the Debtor may convert.

23
24 DATED this ____ day of _____, 2010.

25
26
27 JUDGE OF THE U.S. BANKRUPTCY COURT